IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9627 of 2005

Between:

K. Jaya Rani W/o. Dr. K.V. Reddy
Ananthapur District.

..... PETITIONER

AND

1 The Director of Mines and Geology, BRKR Buildings,
Tank Bund Road, Hyderabad.
2 The Assistant Director of Mines and Geology, Ananthapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of writ of Mandamus declaring the action of the respondents in not passing of orders granting prospecting licence on my application for Black Granite dt. 9-11-2004 over an extent of 1.00 Hector in Sy.No. 3 of Danduvaripalli Village, B.K. Samudram Mandal, Ananthapur District, as arbitrary, illegal, unjust and contrary to the provisions of A.P. Minor Mineral concession Rules, 1966 and consequently direct the respondents to grant prospecting licence on the application dt. 9-11-2004.

Counsel for the Petitioner: SMT.N.SHOBA

Counsel for the Respondents: GP FOR MINES AND GEOLOGY

This Court at the admission stage made the following:

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.9627 OF 2005

ORDER :

The petitioner made an application on 9-11-2004 seeking grant of prospecting licence for Black Granite over an extent of 1.00 hectare in Sy.No.3 of Danduvaripalli Village, Bukkaraya Samudram Mandal, Ananthapur District together with the requisite fee and necessary documents, and the same was received by the 2nd respondent on 9-11-2004. It is stated that in pursuance thereof inspection and survey of the land was completed and the Mandal Revenue Officer has also issued a No Objection Certificate recommending grant of Prospecting Licence vide proceedings dated 10-12-2004. However, the 1st respondent - Director of Mines & Geology failed to pass any orders either granting or rejecting the application. Hence, this writ petition contending that the alleged inaction on the part of the respondents in passing appropriate orders on the application of the petitioner is arbitrary, illegal and contrary to the provisions of the A.P. Minor Mineral Concession Rules, 1966.

I have heard the learned Counsel for the petitioner and the learned Government Pleader for Mines & Geology appearing for the respondents and perused the material on record.

Having regard to the fact that the Mandal Revenue Officer, Bukkaraya Samudram has submitted his report dated 10-12-2004, on the basis of the enquiry conducted by the Mandal Revenue Inspector, the learned Government Pleader states that the respondents will consider the request of the petitioner and appropriate orders will be passed in accordance with law.

Accordingly, the Writ Petition is disposed of with a direction to the respondents to consider the request of the petitioner for grant of prospecting licence and to pass appropriate orders in accordance with law on the application of the petitioner dated 9-11-2004 as expeditiously as possible preferably within a period of eight weeks from the date of receipt of this order. No costs.

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27th April, 2005.

ghn

To

1 The Director of Mines and Geology, BRKR Buildings,
Tank Bund Road, Hyderabad.

2 The Assistant Director of Mines and Geology, Ananthapur.

3 Two CCs to the Government Pleader for Mines and Geology, High Court of A.P., Hyderabad. (O.U.T.)

4 Two CD copies.